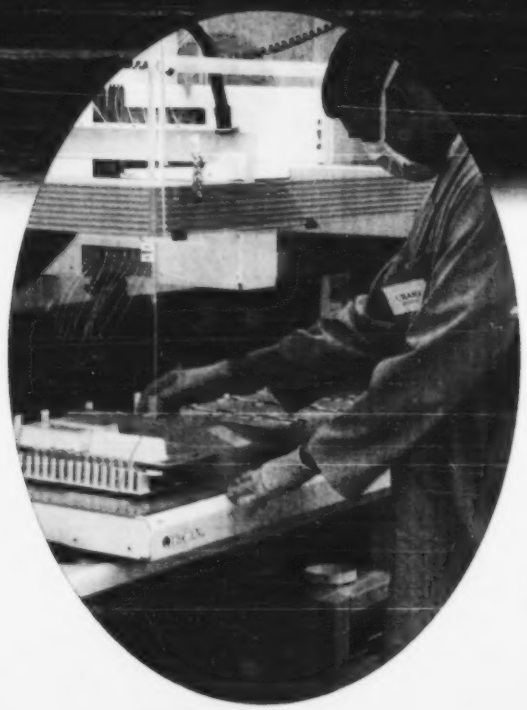
National DNA Data Bank Advisory Committee Annual Report 2004-2005



Five-Year Parliamentary Review
2004 - 2005

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Enquiries may be directed to:

Pauline Williams, Coordinator
National DNA Data Bank Advisory Committee
Forensic Laboratory Services, National Police Services
130 Dufferin Avenue, P.O. Box 3240 Stn. "B"
London, Ontario N6A 4K3
Tel: (519) 640-7454
Fax: (519) 640-7433

www.rcmp-grc.gc.ca/dna_ac/index_e.htm

The website of the National DNA Data Bank of Canada may be found at:

www.nddb-bndg.org

Message from the National DNA Data Bank Advisory Committee 2

Meet the Members of the National DNA Data Bank Advisory Committee 10

The Mandate 14

Subject Matter Experts and Guest speakers 15

Financial Report/ Acronyms 16

Message from the National DNA Data Bank Advisory Committee

A Growing Data Bank

During the past year, the Committee has continued to closely follow the progress of the National DNA Data Bank (NDDB) as it approaches the end of its fifth year of operation. The DNA Identification Act, which became law in June 2000, authorized the establishment of the NDDB with its two indices: the Convicted Offender Index (COI) and the Crime Scene Index (CSI). The primary objective of the NDDB is to match the DNA profiles developed by forensic laboratories from crime scenes across Canada against each other in the CSI as well as against those in the COI which are processed in the NDDB in Ottawa from biological samples collected from offenders convicted of specific designated offences. It is axiomatic that the number of matches between crime scenes themselves and between crime scenes and convicted offenders will increase as more samples are added to the Data Bank. Any process or communication that will encourage more samples to be added will enhance the effectiveness of this important investigative tool.

From the beginning, increasing the population of the Data Bank has been and continues to be the major challenge facing the Data Bank as it strives to achieve its full potential. Over its five years of operation, the Data Bank has grown at an increasing rate as forensic DNA technology becomes more widely understood and more frequently utilized within the Canadian justice system. In April 2005, the Data Bank reported over 95,000 DNA profiles on file, 75,000 being in the COI and 20,000 in the CSI. From a modest beginning of approximately 8,000 profiles during its first year of operation, the Data Bank is now growing at a rate of 450-500 profiles per week or 24,000 profiles per year. It is encouraging to note that with increased diligence to collect and process more samples from crime scenes and convicted offenders, a parallel increase in the effectiveness of the Data Bank will occur.

Increasing Matches

Commensurate with the growth in profiles, the positive match rate has grown from 25 during the first year to its current level of approximately 1300 per year, up 39% from last year. At its present size, approximately 5% of the profiles entered into the Data Bank will generate a positive match. While the growth in the number of Convicted Offender samples would appear to have leveled off in the range of 16,000 per year, the submission of Scenes of Crime profiles is increasing, i.e., up 27% during the past year. This increase is largely due to a significant increase in profile submissions related to unsolved Break & Enters. Break & Enters are Secondary Designated Offences which have traditionally been considered somewhat less serious than the more violence related, Primary Designated Offences.

From statistics collected from different countries over the past few years, it has become apparent that offenders associated with serious crimes of violence often involve

themselves in less serious criminal activities such as Break & Enters repeatedly throughout their criminal careers. Experience has now shown that when Break & Enter profiles are submitted to the Data Bank, a hit rate of over 50% between the sample and another unsolved crime or convicted offender is not uncommon. Due to the success experienced by foreign law enforcement agencies and in response to urging by this Committee, the Center of Forensic Science (Ontario), the Laboratoire de sciences judiciaires et de Médecine légale (Montreal) and the RCMP Forensic Laboratories have created special DNA analytical units for the processing of Break & Enter exhibits.

Primary and Secondary Offences

When the DNA Identification Act became law, it was generally expected that the submission rate for samples following conviction for a Primary Designated Offence would be quite high since courts were required to make an Order unless the impact upon a person's privacy and security would be grossly disproportionate to the public interest in the protection of society and the proper administration of Justice. A lower submission rate was expected from offenders of Secondary Designated Offence convictions (e.g., 10%) where the Criminal Code provides judges more discretion in making DNA Orders. Prior to the creation of the National DNA Dank, a report commissioned by the Office of the Solicitor General of Canada from Consulting and Audit Canada estimated that the eligible number of offences would be approximately 19,000 primary designated convictions and 94,000 secondary designated convictions per year in Canada. The Data Bank was projected to receive in the range of 17,000 Primary and 9,500 Secondary submissions per year.

At present, the Data Bank is receiving sample submissions from approximately 50% of offenders convicted of Primary Designated Offences. Secondary Offence submissions are higher than projected. It is the general opinion of our Committee that based on the current legislation and the potential number of eligible convictions in Canada, the number of DNA Orders following convictions for Primary Designated Offences is extremely low.

Although the exact cause of this outcome is not known, information presented to this Committee from police officers tasked with sample collection as well discussions with members of the court would lead us to believe that in our busy court system, DNA Orders may be overlooked by judges and prosecutors may simply forget to ask for DNA Orders following some convictions.

In an attempt to raise the profile of this important issue, the Committee recommended that more effort should be made to enhance the awareness of the DNA Identification Act and the NDDB operation within the judicial community. A direct outcome has been the development of a communication and learning partnership with experts from the NDDB, Department of Justice and the National Judicial Institute (NJI). The learning sessions include background information on the DNA science, Data Bank operations, considerations of privacy and security of data and important legal and legislative precedents. These sessions were in the form of panel discussions with both the Crown and Defense Bar represented. Facilitated learning sessions assisted by NJI have been delivered to several provinces across Canada and at the National Criminal Law Seminar Program.

In addition, a second partnership sponsored by the Executive Director of the NJI, has resulted in a working committee consisting of members from the NDDB, Department of Justice, the NDDB Advisory Committee and distinguished jurists and prosecutors who are tasked with the development of a "Judges Electronic Bench Book" for the DNA Identification Act and DNA related sections of the criminal code. The NJI has had great success in describing complex legislation and legal precedents through computer based self-directed information aids accessible to Judges through the Internet or CD format called "Electronic Bench Books." The project is nearing completion and is awaiting the Department of Justice component expected in early Fall 2005. This will include the changes in legislation resulting from the passage of Bill C-13.

The Bill is now the Statutes of Canada 2005, Chapter 25, An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act. Amongst the 176 new offences introduced in Bill C-13, which received Royal Assent on May 19, 2005, are provisions which make it mandatory for a court to make DNA Orders for persons convicted of the very worst and most violent Primary Offences, i.e., murder, manslaughter and aggravated assault. Additionally, a number of offences including Break & Enter have been elevated from "Secondary" to "Primary" status. The Committee is optimistic that these provisions along with the DNA component of the Judges Bench Book will result in an increase in DNA Orders following convictions for Primary Designated Offences.

Moderate Matching

During the late fall of 2004, the Committee was briefed on an issue related to the processing of crime scene DNA profiles which produce "moderate" matches (i.e., DNA profiles which are very similar but not identical) to profiles in the Convicted Offender Index. Moderate matches are generated from DNA profiles of a similar nature that cannot be excluded as coming from the same biological donor. This can occur from time to time depending upon the nature of the crime scene exhibits and potential environmental challenges that can affect the quantity and quality of the DNA extracted from an evidentiary sample. In such cases, it is not possible to determine whether a match exists unless the technical DNA information from both profiles is shared between the NDDB and the DNA specialist from the contributing forensic laboratory.

However, careful study of the DNA Identification Act revealed that while the Commissioner was able to share this information with the government of a foreign state, Sec. 6(4), he was not authorized to share it with a contributing forensic laboratory in Canada, Sec. 6(1)(b) and Sec. 6(7). In view of the apparent anomaly, the NDDB with the support of Department of Justice and Ministry of Public Security and Emergency Preparedness (formerly the Solicitor General of Canada) requested advice from the Committee to assist in resolving this issue before commencing further moderate match comparisons. This is an importance issue since it could have a significant impact on many pending "moderate" matches. The Committee therefore provided the Commissioner with recommendations for a short-term solution based on Section 7 of the DNA Identification Act and a potentially more permanent solution which would have required amendments to the DNA Identification Act. Fortunately, when the Committee discussed this issue, Bill C-13 was before Parliament. As a result with the assistance of the Department of Justice and the Ministry of Public Security and Emergency Preparedness the Act was amended to include the appropriate authority for the Commissioner under Section 6.

The Committee was also pleased to note that following Royal Assent on May 19, 2005, another issue of concern was resolved by statutory provisions which dealt with defective DNA Orders received by the NDDB.

Training and Development

The Committee notes that the sample rejection rate (failure to obtain a DNA profile from a biological sample due to either a technical or procedural issue) at the NDDB has been running consistently at less than 1.5% for several years.

This is significantly lower than the failure rate in most other forensic DNA data banks worldwide. The ability to develop valid and reliable DNA profiles from a high percentage of convicted offender samples has been attributed to a successful sample collection-training program developed for the police and the diligence of its trainees in conducting this important task. This success clearly demonstrates that funding support for continued police collection training and special programs such as the National DNA Coordinators workshop has yielded significant dividends in terms of the final NDDB DNA product and should be encouraged to continue.

From a technology perspective, the Committee has noted that few scientific fields have advanced as quickly or experienced as many changes over a short period of time as that of DNA technology and its application to forensic science. It is pleasing to note that many of the scientific procedures originally pioneered by the NDDB have formed the basis for future improvements in the processing of the more variable and challenging DNA casework samples. The magnetic bead DNA extraction protocol, built on a robotic DNA processing foundation, is an excellent example of a successful partnership between scientists from the NDDB and DNA specialists in the Biology Operations section of the RCMP's Forensic Laboratory Service. Automated technology initially developed in the NDDB was modified to first process high volume Break & Enter samples and in the near future will be used for DNA extraction on the majority of all biology evidence collected from crime scenes. The NDDB is clearly well equipped, from a technology perspective, to handle a considerable increase in sample submissions should that occur as a result of the passage of Bill C-13.

The Committee has also been briefed on the potential of familial and sibling DNA search programs that are now ongoing in some countries. This type of searching utilizes lower stringency search parameters to directly target DNA profiles that are genetically shared amongst closely related family members. Information gained from this type of searching can sometimes be used by investigators to identify suspects who have a familial relationship to a person associated with a crime scene DNA profile. The Committee would urge the RCMP/NDDB to study both the technology and the ethical aspects of this technique within Canadian Law.

A Missing Persons Index for Canada

Since the advent of Forensic DNA technology and more recently, the opening of the NDDB, the creation of a Missing Persons Index has been the subject of many discussions both in government and the general public. During the original discussions that took place prior to the creation of the NDDB, the humanitarian use of DNA to identify missing persons was considered as a possible third Index within the NDDB. This discussion took place because it was recognized very early that forensic DNA issues should be addressed at a national level to ensure that some degree of compatibility continues to exist not only between Provinces and Territories but also between nations throughout the world. A centralized national approach has generally been favoured in Canada when dealing with issues that cross jurisdictions and could be made more effective by central governance.

In recent years, the Missing persons Index issue has received more attention with the introduction of a Private Members Bill in Parliament. The Committee is pleased to note that the Minister of Public Safety and Emergency Preparedness Canada recently issued a Public Consultation Paper on the subject of establishing a DNA Missing Persons Index in Canada. This Committee's involvement with the issue began in late 2003 when it was asked by the

Office of the Solicitor General of Canada and the Commissioner of the RCMP to render its opinion on a number of questions concerning the creation of a Missing Persons Index for Canada. The following discussion highlights some of the main issues addressed and although it represents the consensus of the majority of the Committee members, it does not necessarily reflect the position of the Office of the Privacy Commissioner of Canada (OPC). In last year's report, the NDDB Advisory Committee stated that a Privacy Impact Assessment (PIA) of the MPI should be conducted and forwarded to the OPC for review and comment. The OPC will review the PIA when completed and also intends to discuss the matter of an MPI with PSEPC and Justice officials once the consultation is formally launched.

While considering the Missing Persons Index issue, the Committee invited presentations and received suggestions from Canadian law enforcement sources and several American authorities including the manager of the FBI's National Missing Persons Index and the Supervisor of the Florida Department of Law Enforcement State DNA Database. It is the Committee's opinion that a National Missing Persons Index utilizing DNA technology should be established in Canada.

It is the Committee's view that the role of a Missing Persons Index would be twofold:

1. To identify "unidentified human remains"
2. To assist police in locating and identifying missing persons.

The Committee also concluded that the Missing Persons Index would be most effectively managed centrally and could be operated by the RCMP, in much the same way as other registries and information services such as the National Fingerprint Repository, the Criminal Records Repository, the Canadian Police Information Centre, the National Missing Persons Registry and the NDDB.

Specifically, the well established technical capability of the NDDB and the unique security and privacy safeguards designed to protect the DNA profiles developed from convicted offender samples is already in place and employs an encrypted matching software called CODIS (the COmbined Dna Identification System) as well as other police information networks to separate personal information from genetic data. Consequently, if the NDDB was not in fact used to house the Missing Persons Index, a replica with an equivalent cost to establish and maintain would have to be created. It is the Committee's view that establishing a second parallel Data Bank for the Missing Persons Index would be redundant and potentially less effective than establishing this index as part of the operations of the NDDB.

It is also the Committee's view that the technology utilized within the Missing Persons Index should be compatible with that of the NDDB and other regional forensic laboratories that process forensic biological samples. It is the Committees view that current genomic-based STR analysis would be successful on most biological samples associated with missing persons. Should mitochondrial DNA analysis be required on specific samples, the committee recommended that a potentially more cost effective approach would be to use alternative processing by a quality assured contracted service. In addition, recent experience with mini-STRs involving nuclear DNA in relation to the World Trade Centre disaster would indicate that alternative DNA processes are also proving to be effective for analysing the most difficult and challenging biological samples obtained from human remains.

The Committe suggests as new DNA technologies become available for forensic applications, consideration should be given for their future use in the Missing Persons Index program.

It is the Committee's view that the Missing Persons Index should consist of three DNA profile categories:

1. DNA profiles derived from unidentified human remains
2. DNA profiles derived from persons reported missing, established from personal effects obtained lawfully through the consent of a relative, and,
3. DNA profiles derived from consent samples obtained from biological relatives of persons reported missing.

In addition to cross checking these collections for linkages, it is the Committee's opinion that at least the first two categories should be checked against the COI and the CSI of the NDDB. The third category should only be checked against the NDDB with the consent of the contributors. Issues involving sample collection and the lawful permission and consent from appropriate individuals will be complex and involve careful consideration with respect to purpose, duration of storage, protocol for the destruction or return of samples and variations in applicable provincial legislation.

Should the MPI be designed for humanitarian purposes only, i.e., a comparison of samples with no cross checking against the NDDB Indices, the Committee believes that central governance would not be required. However, it is the consensus of the Committee that in order for a Missing Persons Index to be most effective and serve all Canadians, its purpose should be to assist in identifying human remains and locating missing persons. Timely cross checking against the NDDB Indices in the latter instance could be a critical step in locating a missing person.

The latter activity could arise in a case where a missing person, either willingly or unwillingly, becomes involved in a crime scene and leaves biological evidence at the scene. If a DNA profile derived from this evidence is uploaded to the CSI of the NDDB and positively cross checks against the Missing Persons Index, it could provide police with location and association information in relation to the missing person. This information is vitally important to the parents and relatives of a missing person and is consistent, in the Committee's opinion, with the principles of a humanitarian based Missing Persons Index.

Mass Disaster Capability

In studying various issues related to the establishment of a Missing Persons Index, the Committee has also considered the possible parallel establishment of a mass disaster capability. The Committee is of the view that the technology, privacy, security and ethical considerations associated with identifying missing persons is similar to the victim identification conducted under the direction of the RCMP following the Swissair Flight 111 disaster in 1998. Considerable forensic DNA experience from that disaster now exits within the NDDB and RCMP Biology Operations Sections. Although it is recognized that a mass disaster response has provincial and territorial jurisdictional complications, the capacity to address the identification requirements associated with a mass disaster could have national and international implications and therefore should be planned and built into an MPI if one is established in Canada.

Conclusion

In conclusion, the Committee has continued to closely follow the operations of the NDDB during the past five years and is satisfied that it is managed and operated effectively, and efficiently within the provisions of the DNA Identification Act and associated Regulations. It is the Committee's opinion that the amendments recently passed in Bill C-13 will assist the operation of the Data Bank and augment its contribution to the Canadian Justice System.

RICHARD A. BERGMAN, CHAIRPERSON
REPRESENTATIVE OF THE POLICE COMMUNITY

Following 35 years of distinguished service with the RCMP, Richard Bergman retired from active police service in 1997. During his career, he served in Manitoba, Saskatchewan, British Columbia, Ontario and Atlantic Canada. Among his many significant career appointments, he served as Commanding Officer of the RCMP in Manitoba, the Director, RCMP Forensic Laboratories, Deputy Commissioner, National Police Services, and Deputy Commissioner, Atlantic Region. It was under his direction, as the Director of Forensic Laboratories, that the RCMP initiated their DNA program. Mr. Bergman graduated from the University of Saskatchewan in 1972 with a B.Sc. (Honours) and a M.Sc (Biochemistry) in 1974. He is also a graduate of the Career Assignment Program, Government of Canada. Mr. Bergman is a member of a number of professional associations, and the recipient of a number of several distinguished awards. He has published and co-authored a number of publications relating to legal, police and science issues. Mr. Bergman has served as Chair of the National DNA Data Bank Advisory Committee since its establishment in May, 2000.

THE HONOURABLE PETER CORY, C.C, C.D, Q.C
REPRESENTING LAW

The Honourable Peter Cory was a pilot in the RCAF and served overseas with 6th Bomber Group. The Honourable Peter Cory received a B.A. from the University of Western Ontario (Assumption) in 1947. He graduated from Osgoode Hall Law School in 1950. He was called to the Ontario Bar in 1950. He was appointed Q.C. in 1963. He practised law with Holden, Murdoch. He was elected a Bencher of the Law Society of Upper Canada in 1971. He was President of the Advocates' Society; Chairman of the Ontario Civil Liberties Section of the Canadian Bar Association; President of the County of York Law Association; and a Director of the Canadian Bar Association. He was appointed as Chancellor of York University in June 2004.

He was appointed to the Supreme Court of Ontario High Court in 1974; Appointed to the Ontario Court of Appeal in 1981. He was appointed to the Supreme Court of Canada, February 1, 1989 and retired in June, 1999.

The Honourable Peter Cory is Honorary Colonel of 426 (T) Training Squadron and an Honorary Fellow of the American College of Trial Lawyers.

The Honourable Peter Cory is currently mentoring at the Federal Department of Justice and conducting arbitration and mediation work at the Osler ADR Centre.

Since 1999 the Honourable Peter Cory has been appointed and is continuing as a member of the DNA Data Bank Advisory Committee. He was appointed Commissioner for the Province of Ontario to conduct a study regarding paralegals. He was appointed Commissioner to study the qualifications, salary and pensions of Military Judges. He was appointed Commissioner by the Province of Manitoba to investigate the reasons for the wrongful conviction of Thomas Sophonow for murder and to fix the compensation payable to him arising from his wrongful conviction and imprisonment. He was recently appointed Commissioner by the governments of the United Kingdom and the Republic of Ireland to investigate and report with regard to six high profile murder cases which are significant to all the parties involved in the peace process in Northern Ireland. He is presently conducting a study for the Province of Ontario pertaining to the best method of auditing the medical service accountants of the doctors of the Province.

DR. RON FOURNEY, OFFICER IN CHARGE
NATIONAL DNA DATA BANK, NATIONAL SERVICES AND RESEARCH

Dr. Fourney received his Ph.D. in Biochemistry and conducted post-doctoral studies in molecular basis of cancer predisposition as a National Cancer Institute of Canada and Alberta Cancer Board Research Fellow. He joined the RCMP as a civilian member and molecular genetics specialist in 1988. Dr. Fourney is a founding member of the RCMP DNA program and has been instrumental in the development and implementation of forensic DNA typing for Canada. He represents the RCMP on numerous national and international committees tasked with the development of DNA identification methods for forensic human identification. He has also played key roles in numerous investigations including organization and management of the SR111 DNA Typing task force for the DNA identification of the victims of the Swissair Flight 111 aircraft disaster. He has continued his interest in enhancing forensic DNA technology and has specialized in fluorescent Short Tandem Repeat detection analysis, robotic automation and comprehensive strategic planning for DNA data banks and high throughput DNA analysis. Dr. Fourney is closely involved with the privacy and security issues of DNA human identification and was a key content expert in the design of the Canadian DNA Data Bank Legislation.

Dr. Fourney is currently the Officer in Charge of Canada's National DNA Data Bank and also maintains an active involvement with forensic science research and development as head of the National Services and Research Branch for the RCMP Forensic Laboratory Services. He is a member of the editorial boards for The Journal of BioTechniques and The Journal of Forensic Sciences. He has an academic cross appointment as adjunct professor in the Department of Biology, Carleton University (Ottawa-Carleton Institute of Biology).

DR. GEORGE R. CARMODY, VICE-CHAIRPERSON
POPULATION BIOLOGY SPECIALIST

Beginning a career in academia upon graduation from Columbia University (Chemistry), Dr. Carmody completed his Ph.D. in Zoology from the same institution. Subsequently, he was a postdoctoral fellow in population biology at the University of Chicago, before joining Carleton University in 1969 and becoming a Canadian citizen. Dr. Carmody has been an Assistant Professor, Associate Professor, Associate Dean of Science, Chair, Integrated Science Studies, and is currently an Adjunct Professor of Biology at Carleton University. During sabbatical leaves from Carleton he has been a senior fellow (genetics) at the University of Nottingham, a visiting researcher at the National Institute of Environmental Health Sciences and a visiting professor at the University of Hawaii and the University of Texas. Dr. Carmody is a member of a number of professional societies, has participated in the publication of several dozen scientific publications, testified in numerous DNA related court cases in Canada, and during his distinguished career, has presented briefings at numerous lectures and seminars around the world. He is a member of the N.Y. State DNA Subcommission, the U.S Department of Justice Kinship and Data Analysis Panel and the Advisory Board for the Forensic Science Program at Trent University. Dr. Carmody is recognized in the scientific and legal communities as an expert in population genetics and statistics as applied to forensic applications.

GISELE COTE-HARPER, O.C., Q.C.
HUMAN RIGHTS SPECIALIST

Gisèle Côté-Harper graduated from Laval University (B.A.(ès arts); LL.L.) and Harvard University (LL.M.). She is currently a Barrister and a professor at the Faculty of Law, Université Laval.

After having held the position of Associate Dean, Professor Côté-Harper was successively appointed to the Canadian Human Rights Tribunal, the Quebec Human Rights Commission and the RCMP Public Complaints Commission. She was also elected as an independant expert on the U.N. Human Rights Committee.

In 1987, Professor Côté-Harper has co-authored a report with respect to the creation of an international institution that was later established by legislation. She was then asked to act from 1990-1996 as Founding Chair of the International Centre for Human Rights and Democratic Development (Rights and Democracy). In 2000, she was appointed to the International Commission on Intervention and State Sovereignty (ICISS). The Commission report launched at the United Nations is entitled The Responsibility to Protect. Among her many publications, Gisèle Côté-Harper is the co-author of the Traité de droit pénal canadien (4th Ed.), 1998. She has also been invited to serve as Director on international and national boards and participate, as a delegate, in various U.N. conferences and symposia.

Professor Côté-Harper was appointed Queen's Counsel in 1987. In 1995, the United Nations Association of Canada recognized her contribution as a legal expert on national and international human rights issues by awarding her the Lester-B. Pearson Medal. She was named Officer of the Order of Canada in 1997. In 1998, she was awarded the Quebec Bar Medal and, in 2002, the Golden Jubilee Medal.

DR. WILLIAM S. DAVIDSON
MEDICAL GENETICS SPECIALIST

After graduating with a BSc from Edinburgh University, Scotland, Willie Davidson emigrated to Canada and earned a PhD in Biochemistry from Queens University. He then carried out research at the University of California at Berkeley as an MRC Post-doctoral Fellow and then at the University of Connecticut Health Center at Farmington as an MRC Centennial Fellow. In 1981 he was joined the Biochemistry Department at Memorial University of Newfoundland where he remained for eighteen years rising through the academic ranks to Professor. During this period he served as Acting Chair of the Biochemistry Department, Associate Dean of Science (Research), and Acting Dean of Science. In 1999 he moved to Simon Fraser University as Dean of Science, a position he held until 2003, when he returned to the ranks as Professor of Molecular Biology and Biochemistry. Dr. Davidson's research interests are many and diverse. He has published widely in the areas of molecular evolution, population genetics, genomics, and human genetics. His current research projects include the Atlantic salmon genome project, brood stock development of Arctic charr, and hereditary diseases that affect the Newfoundland population, particularly those causing loss of sight or kidney function. He has served on many national and international committees and at present is Chair of Genome Canada's Scientific and Industry Advisory Committee.

RAYMOND D'AOUST
OFFICE OF THE PRIVACY COMMISSIONER OF CANADA

Effective September 2, 2003, Raymond D'Aoust was appointed Assistant Privacy Commissioner of Canada with primary responsibility for the Privacy Act, the federal public sector privacy law.

Prior to this and since November 1999, Raymond worked for the Canadian Centre for Management Development (CCMD), as A/Director General, Career Development Branch. The Branch is responsible for designing and delivering the educational components of executive and management development programs such as the Management Trainee Program, the Career Assignment Program (CAP), the Direxion program and the Accelerated Executive Development Program (AEXDP). His portfolio also included learning programs and events for Deputies and Assistant Deputy Ministers.

Prior to leading Career Development, Raymond was Director General, Research at CCMD. He was responsible for the long-term research program on Governance as well as for applied research on organizational learning and public sector reform in addition to assuming management responsibility for the Research Branch.

Raymond has more than twenty years of experience in the Canadian government in areas such as program evaluation, review, policy, public consultation, strategic planning, business planning, quality management, technology management and research in several departments and agencies.

Raymond was a part-time teacher at Concordia University and delivered training to federal public servants on several occasions. He studied in political sociology and advanced research methods at Université Laval (B.A.), Ottawa University (M.A.) and Université du Québec à Montréal(doctoral studies).

DR. FREDERICK R. BIEBER
BIO-MEDICAL ETHICS SPECIALIST

Born and raised in Saskatchewan, Frederick R. Bieber earned a Ph.D. degree in Human Genetics at the Medical College of Virginia. After postdoctoral research fellowships in medical genetics and pathology at the Massachusetts General Hospital in Boston he joined the Faculty of Medicine at Harvard University, where he is now Associate Professor of Pathology. Dr. Bieber is a medical geneticist at Brigham and Women's Hospital and has a long-standing interest in forensic medicine and public safety - having been appointed to serve on advisory boards of both the Federal Bureau of Investigation and the U.S. Department of Defense. He serves as a forensic and statistical consultant to numerous law enforcement and public defender groups and to the Connecticut State Police Forensic Science Laboratory. He was appointed to serve on the U.S. Department of Justice Kinship and Data Analysis Panel to assist in the DNA identifications of those lost in the World Trade Center attacks on September 11, 2001. Dr. Bieber has received numerous honor and awards, including Distinguished Service Awards from the Massachusetts District Attorney's Association and the Massachusetts House of Representatives, and the Public Service Award from the Massachusetts State Police for his pro bono public service. Dr. Bieber is a commissioned officer in the United States Army Reserve and a sworn reserve Deputy Sheriff in Middlesex County, Massachusetts.

MANDATE
Of the
The National DNA Data Bank Advisory Committee

The Committee was established pursuant to Section 12 of the *DNA Identification Act* through the annexed *Data Bank Advisory Committee Regulations*. The Regulations were enacted on May 8, 2000, several months before the proclamation of the *DNA Identification Act* and the *DNA Identification Regulations*, which occurred on June 30, 2000.

The establishment of an Advisory Committee was recommended by the *Standing Senate Committee on Legal and Constitutional Affairs* in its Sixteenth Report (December 8,1998) wherein the need for an independent advisory committee was deemed necessary to contribute to the effective and efficient operation of the Data Bank by providing expert advice to the RCMP Commissioner.

Appointed by the Solicitor General of Canada, the Committee functions as an independent body to assist the Commissioner in ensuring that the Data Bank operates in compliance with the legislation and regulations. In addition, it reviews the methods used to issue notifications, transmit information and convey and store samples. Other functions of interest include sampling processes and sample integrity, scientific integrity, genetic privacy, analytical procedures, international information sharing protocols, sample re-analysis and the DNA profile format itself.

Subject Matter Experts and Guest Speakers to the National DNA Data Bank Advisory Committee

April 1, 2004 to March 31, 2005

The Advisory Committee sincerely thanks the following people who have provided ongoing assistance, research and support, and in doing so have contributed greatly to ensuring the privacy, security and safety of all Canadians:

David Bird	Legal Counsel, RCMP
Kathryn L. Bowen	Manager, DNA Analysis, NDDB
Mike Kvasnik	President, Quality Forensics (Proficiency Testing Services)
Sylvain Lalonde	CODIS Administrator, NDDB, Forensic Laboratory Services (FLS)
Sylvia MacKenzie	Counsel, Legal Services, PSEPC
Dr. Chris Maguire	Business Development Manager, Forensic Science Service, UK
Richard A. Mandy	President, The Baintree Group (Process Renewal Strategies)
Peter Martin	Deputy Commissioner, National Police Services
Davide Pisanu	B.C.L., I.L.B., LL.M., Esq.
Karen Pottruff	Junior Policy Officer, PLEIB, Public Safety and Emergency Preparedness Canada (PSEPC)
Alison Rutherford	Senior Policy Analyst, Law Enforcement Division, PSEPC
Karen Sallows	Director, Law Enforcement Division, PSEPC
Brian Stewart	A/Director, Research and Policy, Office of the Privacy Commissioner of Canada
Sylvia Trudel	DNA Training and Collections Officer, NDDB
Greg Yost	Counsel, Criminal Law Policy Section, Department of Justice Canada (DOJ)

Financial Report 2004-2005

National DNA Data Bank Advisory Committee
Annual Costs April 1, 2004 - March 31, 2005

Date of Meeting	Total Expenditure	Budget
2004, December 2-3, Victoria	**$12,442.00**	**$50,000**
2005, March 10-11, Ottawa	$16,350.00	
Translation Annual Report	**$ 513.00**	
Publication Annual Report	**$ 2,354.00**	
Total	$31,661.00	
Balance	**$18,339.00**	

Acronyms

A/Commr.	Assistant Commissioner
B&E	Break and Enter
BCAA	Biology Casework Analysis Agreements
CODIS	Combined DNA Index System
CNPS	Chief National Police Services
CRU	Case Reception Unit
CSI	Crime Scene Index
DB	National DNA Data Bank
DNA	Deoxyribononucleic Acid
DOJ	Department of Justice
ERU	Evidence Recovery Unit
FBI	Federal Bureau of Investigation
FLS	Forensic Laboratory Services
FSS	Forensic Science Service
MPI	Missing Persons Index
NJI	National Judicial Institute
NPS	National Police Services
Oi/c	Officer in Charge
PLEB	Police and Law Enforcement Branch
PLEIB	Policing, Law Enforcement and Interoperability Branch
PSEPC	Public Safety and Emergency Preparedness Canada
RCMP	Royal Canadian Mounted Police
STR	Short Tandem Repeats
STaCS	Sample Tracking and Control System
ULC	Uniform Law Conference